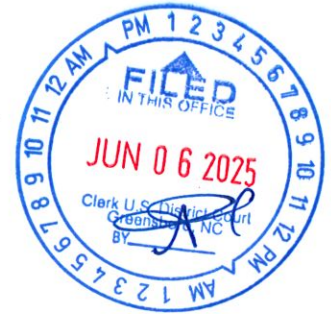


IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
No. 1:25-cv-417



Charity Mainville,  
Plaintiff,

v.

Eugene Soar, David  
Yopp, Margaret Eagles, Christine  
Walczyk, Vartan Davidian III,  
John Does 1-3,  
Defendants

**NOTICE OF IMPROPER ASSIGNMENT AND  
OBJECTION TO MAGISTRATE JUDGE  
REFERRAL**


Plaintiff hereby files this notice to object to the assignment of her Motion for Authorization to File Electronically (Doc. 5) to Magistrate Judge L. Patrick Auld.

Plaintiff respectfully notes that Magistrate Auld is the subject of a pending motion for recusal in a parallel case before this Court (Case No. 1:25-cv-00302-WO-LPA), based on allegations of procedural retaliation and demonstrated bias. The assignment of Plaintiff's electronic filing motion in this §1983 action to the same judicial officer—against whom Plaintiff has already raised formal objections—creates a direct conflict and violates the appearance of impartiality under 28 U.S.C. §455(a).

Plaintiff further notes that this motion involves access to the Court under the First, Fourteenth, and Americans with Disabilities Act, and is non-dispositive in nature. It is improper for a judicial officer facing a recusal motion involving substantially overlapping facts to issue rulings in any related proceeding. Plaintiff respectfully requests that this motion be

reassigned to the District Judge or an unconflicted magistrate, and that all future matters involving pro se access and procedural fairness be shielded from officials with pending conflicts.

Respectfully submitted this 6th day of June, 2025.



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